

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

MICHAEL HORTON, #1154670	§	
VS.	§	CIVIL ACTION NO. 9:05cv137
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Harry W. McKee. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Petition for a Writ of Habeas Corpus is **DISMISSED** without prejudice for failure to obey an order of the Court and for failure to prosecute. All other motions by either party not previously ruled on are hereby denied.

So **ORDERED** and **SIGNED** this **17** day of **August, 2005**.



Ron Clark, United States District Judge